

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 3:23-cr-34-CWR-FKB

EARLE S. BANKS, SR.

**UNOPPOSED MOTION TO AUTHORIZE
CLERK OF COURT TO ACCEPT PREJUDGMENT PAYMENTS**

COMES NOW, the United States of America, by and through the United States Attorney for the Southern District of Mississippi and the undersigned Assistant United States Attorney, and files this Unopposed Motion to Authorize the Clerk of Court to Accept Prejudgment Payments in the instant case pursuant to 28 U.S.C. § 2041, and in support states as follows:

The Defendant is obligated by the plea agreement to pay certain monetary penalties, including restitution. In accordance with those agreements, money gained by the Defendant is available to pay toward those monetary penalties upon the Court's entry of judgment. The Defendant in this case is unopposed to the application of the funds mentioned above toward the payment of imposed monetary penalties at sentencing. Pursuant to 28 U.S.C. § 2041, the Court may authorize the Clerk to receive funds before the Court's judgment is issued or docketed to make payment towards an anticipated special assessment, restitution, fine, or other monetary penalty.

To facilitate the parties' plea agreement, the government moves the Court to enter an order authorizing the Clerk to accept prejudgment payments pursuant to 28 U.S.C. § 2041. Withdrawals for application of such funds toward criminal monetary penalties imposed against the Defendant upon entry of judgment shall be entered separately pursuant to 28 U.S.C. § 2042, by order of the Court.

Respectfully submitted, this the 11th day of November 2023

TODD W. GEE
United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that this day, I electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification to all ECF participant(s) of this record.

DATED Saturday, November 11, 2023.

s/Charles W. Kirkham
CHARLES W. KIRKHAM
Assistant United States Attorney